

**NEVADA DEPARTMENT OF EDUCATION
COMMISSION ON SCHOOL FUNDING
JANUARY 9, 2020
1:00 P.M.**

Meeting Location:

Office	Address	City	Meeting Room
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Board Room
Department of Education	700 E Fifth St	Carson City	Board Room

SUMMARY MINUTES OF THE COMMISSION MEETING

COMMISSION MEMBERS PRESENT

In Carson City

Dusty Casey
Andrew J. Feuling
Dr. David Jensen
Paul Johnson
Dr. R. Karlene McCormick-Lee
Mark Mathers

In Las Vegas

Guy Hobbs
Jason A. Goudie

Via Teleconference

Punam Mathur

DEPARTMENT STAFF PRESENT

In Carson City

Jhone Ebert, Superintendent of Public Instruction
Heidi Haartz, Deputy Superintendent of Business and Support Services
Jessica Todtman, Chief Strategy Officer
James Kirkpatrick, Administrative Services Officer III
Will Jensen, Director of Inclusive Education
Beau Bennett, Management Analyst IV
Megan Peterson, Management Analyst III
Colin Usher, Education Programs Professional
Kristina Cote, Education Programs Professional
Greg Severance, Title IVA

In Las Vegas

Karl Wilson, Education Programs Supervisor
Andrew Morgan, Education Programs Professional
Susan Ulrey, Education Programs Professional

LEGAL STAFF PRESENT

Greg Ott, Chief Deputy Attorney General

SUBJECT MATTER EXPERTS PRESENT

Amanda Brown, APA Consulting
Justin Silverstein, APA Consulting
Jeremy Aguero, Applied Analysis

Jason Willis, WestEd
Felicia Brown, WestEd

AUDIENCE IN ATTENDANCE

In Las Vegas

Andrea Connolly, Clark County School District
Alexander Marks, Nevada State Education Association
Cecia Alvarado, Mi Familia Vota
Chris Daly, Nevada State Education Association
Christy Zamora, Clark County School District
Darlene Anderson, Individual
Gil Lopez, Charter School Alliance Nevada
Jennifer King, State Public Charter School Authority
Kelly Grondhal, Vegas Verdes Elementary School
Larry McGargue, Clark County School District
Lisa Dzierbicki, State Public Charter School Authority
Meredith Freeman, HOPE for Nevada/Nevada PTA
Ramona Esparza, Clark County School District
Sylvia Lazos, Nevada Immigrant Coalition

In Carson City

Brad Keating, Clark County School District
Barry Duncan, Nevada Taxpayers Association
Catherine Bartlett, Governor's Finance Office
Jim Penrose, R & R Partners
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Nevada Association of School Superintendents
Michaela Tonking, Educate Nevada Now
Rebecca Feiden, State Public Charter School Authority
Russell Klein, Lyon County School District
Tiffany Greenmeyer, Governor's Finance Office
Victor Salcido, Charter School Association of Nevada

1: CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

Meeting called to order at 1:00 P.M. by Commission Chair R. Karlene McCormick-Lee. Quorum was established. Chair McCormick-Lee led the Pledge of Allegiance.

2: PUBLIC COMMENT #1

Victor Salcido, Charter School Association of Nevada, spoke regarding his concerns for the impact of Senate Bill (SB) 543 on charter schools, as charter schools are currently not eligible for the small school or small district equity adjustments, nor the Hold Harmless Provision. Being ineligible for these adjustments will mean a funding cut, if not closure, for many rural charter schools.

Sylvia Lazos, Nevada Immigrant Coalition, spoke regarding weighted funding for English Learners (ELs) and At-Risk students. She noted that the APA Consulting study weights were based on visits to Nevada and an estimated \$4,619 per-pupil amount for ELs. Due to significant achievement gaps, Ms. Lazos requested that the Commission adhere to this number, as EL students in particular have seen little progress in closing achievement gaps. Ms. Lazos further supported grandfathering Zoom programs. Finally, for At-Risk students, Ms. Lazos recommended defining At-Risk by measures beyond free-and-reduced price lunch eligibility. Ms. Lazos provided documentation to the Commission, available in Appendix B.

Kelly Grondhal, Vegas Verdes Elementary School, spoke regarding Victory schools and funding for At-Risk students. Mr. Grondhal emphasized the importance of supports to provide training for staff, as that permits staff to then provide better supports for their students.

Christy Zamora, Global Community High School, spoke regarding the impact of Zoom funding in her school. Global Community High School is a specialty school made possible by Zoom funding serving EL students, with an extended day and extended year. Ms. Zamora cited examples of student success made possible through Zoom funding. She further emphasized the importance of Zoom funding for additional teacher training to better support students.

Chris Daly, Nevada State Education Association, spoke regarding the treatment of charter schools in SB 543. Mr. Daly referenced comments made during the drafting of the bill that charter schools would see a significant increase in their funding. He expressed concern that with the rapid growth of charter schools, some have privatized or opened specifically to avoid the safeguards and standards that apply to public schools. He noted that charter schools serve fewer EL, At-Risk, and Special Education students than public schools and suggested that increased accountability and controls are needed for charter schools prior to providing them with additional funding.

Ramona Esparza, Valley High School, spoke regarding the challenges and successes of Valley High School, which is funded as a Victory school. With Victory funds, they were able to build a wellness center that provides health and mental health services, their graduation rates have increased immensely, and they are able to provide better opportunities and services for students.

Darlene Anderson spoke regarding student outcomes. Specifically, she reflected on concerns regarding a lack of early start education and poor supports for the transition of children into the school system, which leads to high rates of children labeled as willfully defiant. Ms. Anderson emphasized that funding must be focused on outcomes and the understanding that students are not on equal footing. She cited concerns with the education statistics for African American students and Nevada's homeless youth population and expressed that she has seen no opportunities for schools to engage the community on these issues.

Cecia Alvarado, Mi Familia Vota, spoke regarding Zoom and Victory programs, and the impact and success that these programs have had within the communities with which Mi Familia Vota works most closely. Ms. Alvarado requested that Zoom and Victory programs be grandfathered as they stand.

3: APPROVAL OF FLEXIBLE AGENDA

No action was taken; the Commission agenda moved directly from public comment to the approval of meeting minutes.

4: NEVADA DEPARTMENT OF EDUCATION UPDATE

Heidi Haartz, Deputy Superintendent of Business and Support Services, Nevada Department of Education, provided an Update to the Commission, including a list of [Defined Terms](#).

[Presentation]

Per the Commission's recommendation, the Nevada Department of Education (NDE) transferred the funding allocations for Zoom, Victory, and SB 178 from categories C and D to category E; the materials presented at this meeting reflect this change. As a result of this shift, the statewide base per pupil amount is now \$6,708.

At the request of the Reporting and Monitoring Work Group, NDE has contacted SchoolNomics to present further information on the In\$ite data report used for school funding initiatives in February.

After conferring with the Governor's Finance Office regarding the responsibility of the Commission and school districts to complete a comparative analysis for the Nevada Plan versus the Pupil-Centered Funding Plan (PCFP) using the biennial budget, NDE recommended focusing on the Fiscal Year (FY) 2020 data. SB 543 states that the calculations and running of the models are to be done based on the parameters and assumptions established by the Commission, and it is within reason for the Commission to recommend focusing only on the FY 2020 data.

NDE is continuing to work with the Governor's Finance Office and the Governor's Office regarding the designation of the State Education Fund in SB 543 as a Special Revenue Fund. GASB (Governmental Accounting Standards Board) 54 suggests that no more than 20% of revenue from the special revenue fund may come from general funds, but FY 19 revenues would place the fund at 31%. This matter is ongoing.

NDE is preparing a request to the Interim Finance Committee (IFC) to release additional funds from the appropriations set aside for the implementation of SB 543 in order to solicit and hire a consultant to assist with optimal funding work for the Commission. NDE hopes to have the request to IFC in April so the consultant may begin working in June or July.

Finally, NDE is striving to improve its efforts around posting materials and will aim to post all materials at least a day prior to future meetings.

5: PRESENTATION FROM THE STATE PUBLIC CHARTER SCHOOL AUTHORITY

Rebecca Feiden, Executive Director, State Public Charter School Authority, conducted a PowerPoint presentation regarding [Public Charter Schools](#), their budgetary processes, and the anticipated impact of SB 543 on public charter schools.

Member Paul Johnson cited an example in White Pine County School District (WPCSD), where charter schools enroll 13-15% of the student population. When approximately 180 students and an associated \$1.7 million in funding migrated to the charter school, this necessitated a migration of teachers to maintain a 30:1 ratio. This equated to a cut in operating costs of approximately \$500,000, leaving WPCSD with a \$1.2 million operating deficit. The local charter school has indirectly adversely affected offerings at the WPCSD secondary level because vocational programs and other such services had to be cut. Member Johnson that the existing system makes for a competitive, rather than collaborative, approach. He noted that some states have impact aid, which recognizes that funding losses due to the migration of students cannot come completely from operating expenses.

Member David Jensen requested clarification regarding attendance requirements for virtual charter schools. Ms. Feiden noted that virtual charter schools have the same attendance requirements as distance education programs, for which a once a week check-in qualifies for the entire week of attendance. She further clarified that the SPCSA's definition of virtual is 50% remote. For example, one program is over 50% remote, but requires students to be on campus at least twice a week. Four of the 34 charter holders are virtual, and there are 34 charters statewide with 60 school campuses.

Member Jensen inquired about student-to-teacher ratios for virtual charters, as it would relate to cost adjustments; Ms. Feiden did not have such data readily available. Member Jensen had further questions about how charter schools intended to address their disproportionate under-representation of categories of pupils such as English Learners, students eligible for free-or-reduced-price lunch, and Special Education students within charter schools as compared to enrollment public schools.

Ms. Feiden noted that in addition to the requirements established by Assembly Bill (AB) 462 (2019) that were discussed in her presentation, the SPCSA is considering a weighted lottery for historically underserved populations or expanding transportation options, which is a frequent barrier to serving certain student populations. In addition, the SPCSA is working to ensure that their current schools make families feel welcome and that applicants for new schools are committed to serving these communities.

Member Jensen raised concerns about the delivery of Special Education or EL services to virtual students. Ms. Feiden remarked that additional outreach is made to students with Individual Education Programs (IEPs) or in EL programs, and that the weekly log-in is the minimum required for attendance, not necessarily how frequently a student signs in.

Member Jensen inquired about the lack of uniform pay schedules in charter schools and asked whether teachers in charter schools are licensed. Ms. Feiden reported that she would look into the pay schedules, but to her knowledge they were similar to local school districts. She noted that the majority of teachers in charters schools are licensed and added that she could furnish additional data at a later date.

The Commission discussed concerns regarding funding allocations for charter schools, such as weights, size, and location. Charter schools currently use funds from the Distributive School Account (DSA), state grants, federal grant dollars, and fundraising. Charter school teachers currently receive Public Employee Retirement System (PERS) and health benefits. Ms. Feiden was optimistic that the needs assessment required by AB 462 would assist in identifying how charter schools could be responsive to the needs of the community and better communicate with school districts.

6: UPDATE ON THE DEVELOPMENT OF THE PUPIL-CENTERED FUNDING PLAN

Jeremy Aguero, Applied Analysis, provided an update on the Pupil-Centered Funding Plan.

Mr. Aguero reported that Applied Analysis (AA) has been working with NDE to build a model to test assumptions and evaluate the implications of SB 543 on individual school districts. This schematic is mostly complete. He shared that revenues are aligning and that the differential between the original draft model and the model as described in SB 543 is only 3.3%. Mr. Aguero said that the greatest challenge has been completing comparative analyses of the PCFP to the Nevada Plan because it requires assumptions for 2020 data that are not yet available. AA is prepared to analyze varying assumptions that the Commission would like tested. As more information becomes available, the results will evolve, and Mr. Aguero asked the Commission to be cognizant the limitations associated with anticipated changes.

Applied Analysis was also tasked with the development of a Pupil-Centered Funding Model, including documentation on both definitions and instruction for how the model is implemented and could be updated. These projects are in early development, as they are more detailed and their structures more complex.

Member Mark Mathers inquired as to when phase one of the model would be available. Mr. Aguero noted that the model to test assumptions and make modifications to the Necessarily Small School Adjustment was available as of today's meeting; it would be an imperfect estimate, but useful for initial analysis. The model for base-to-base comparison is also prepared, as well as the equity adjustments previously discussed by the Commission.

Mr. Aguero clarified that the analytics for individual school districts and their 2020 legislatively approved allocations still required further work, but should be ready by the February meeting. The primary concern with the model is the number of scenarios to run and creating a comparable structure.

Member Mathers asked for clarification regarding the model estimates regarding weights. Mr. Aguero noted that the starting point for SB 543 is that the base must be equal to what existed in 2020 and everything after must be adjusted for inflation and enrollment changes as they occur. From there, the fund balance flows into other elements. Since base funding levels must be at or above the prior year, weights must be adjusted to account for changes in revenue. He added that equity adjustments are different from weights, as they are considered separate from base funding. Member Paul Johnson emphasized that the Commission must determine how to allocate excess revenue to the weights.

Member Andrew J. Feuling noted that financial modeling primarily looks at district impact and asked if it was possible to examine direct school-level impact. Mr. Aguero clarified that due to complexity and time constraints, it is not feasible to look at school-level impacts at this time.

Mr. Aguero clarified that the model for the concurrent analyses of the Nevada Plan and the Pupil-Centered Funding Plan used 2020 as a base year and the analyses are based on 2017-2019. This blueprint is modeled on the numbers provided by NDE.

Member Johnson noted that such comparisons would look different at the school level and raised concern with the reporting of restricted and unrestricted portions of the general fund. Member Jim McIntosh noted that this matter was being addressed within the Reporting and Monitoring Work Group and that the Work Group requested a breakdown of all sources of revenue in the base from NDE to inform their recommendations around reporting and accountability requirements.

7: REVIEW OF PROGRAMS AND FUNDING FOR AT-RISK STUDENTS

Dr. Susan Ulrey, Education Programs Professional, Office of Student and School Supports, Nevada Department of Education, and Karl Wilson, Education Programs Supervisor, Office of Student and School Supports, Nevada Department of Education, conducted a PowerPoint presentation on programs and funding for [At-Risk](#) students, including [Victory Schools](#).

Commission Members asked clarifying questions. Vice Chair Guy Hobbs clarified that students in the categories discussed were largely identified from the prior year's counts. Member Mathers clarified that the purpose of the presentations were to provide background on the current programs that are in place for categories of pupils and not to make recommendations to the Commission. Chair McCormick-Lee confirmed that the \$1,200 allocation was represented in category E of the State Education Fund. Furthermore, school districts report extensively on these funds, including the schools which receive this money, the amount, and the strategies applied to determine which students receive the funds.

Chair McCormick Lee requested clarification regarding the terminology used in the presentations, such as: migrant, neglected, children in transition, delinquent, free-or-reduced-price lunch, and homelessness. She inquired whether these are linked with At-Risk. Mr. Wilson noted that many who fit the definition and qualify for programs for each of the terms the Chair listed could also qualify for an At-Risk category. He clarified that there are specific programs in place to assist these populations and, while many students would qualify for At-Risk services, it is not a requirement to be At-Risk in order to qualify for assistance from all programs.

8: REVIEW OF PROGRAMS AND FUNDING FOR ENGLISH LEARNERS

Dr. Susan Ulrey, Education Programs Professional, Office of Student and School Supports, Nevada Department of Education, and Karl Wilson, Education Programs Supervisor, Office of Student and School Supports, Nevada Department of Education, conducted a PowerPoint presentation on programs and funding for [English Learners](#), including [Zoom Schools](#).

Member Mathers noted that some school districts use their general fund dollars to fund English Learner (EL) programs. Member Johnson added that while many districts do so, they frequently do not report those funds as going towards EL services. He expressed concern that schools that use general fund dollars to support such programs may have less funding to direct to serve other categories of pupils under the PCFP.

Members Johnson, Mathers, and Jensen discussed the importance of adequacy and how to address increasing EL funding to the base.

Chair McCormick-Lee clarified that Zoom and Victory services were noted and listed within SB 543, therefore the EL funding would be aligned with those services.

9: REVIEW OF PROGRAMS AND FUNDING FOR GIFTED AND TALENTED STUDENTS

Will Jensen, Director, Office of Inclusive Education, Nevada Department of Education, conducted a PowerPoint presentation regarding [Gifted and Talented](#) programs and funding.

Director Jensen noted that Gifted and Talented Education (GATE) students are uniquely At-Risk, as the expectation of their social-emotional learning or motivation often differs from the general population.

Member Jensen requested clarification on how districts identify GATE students and if they use the same determining factor for all students. Director Jensen noted that the state uses certain parameters to identify GATE students including: overall intelligence, academic performance, and additional factors such as EL status or Special Education status among others.

Member Casey inquired as to how funding is covered if GATE funding levels are based on the per pupil count of the previous year and there is a significant increase in eligible students. Director Jensen noted that the answer is dependent on student location. If GATE students are in an area that does not have a GATE program, there is a stakeholder group of administrators who are involved in setting up GATE services. If there is a school that does not have a GATE program but would like one, NDE allows for a student count in April to provide the school with time to build the program for the next school year. For regular school counts, the system is predicated on a new class of Kindergartners arriving the same year a class of 12th graders leave the system, making for equitable numbers.

Member Mathers noted that the target GATE weight is lower than the current weight and asked that NDE provide feedback on this potential change at a future date.

10: REVIEW OF PROGRAMS AND FUNDING FOR SPECIAL EDUCATION STUDENTS

Will Jensen, Director of Inclusive Education, Nevada Department of Education, conducted a PowerPoint presentation on [Special Education](#) programs and funding.

11: PUBLIC COMMENT #2

Chris Daly, Nevada State Education Association, spoke regarding the funds allocated to Zoom and Victory per section 8 of SB 543. He stated that the language of the bill requires that funding follow students and shared concerns that funds will be dispersed across all schools with EL and At-Risk students, rather than targeted Zoom and Victory schools, compromising the existing programmatic model. He further discussed the lag in implementing the 3% increase to educator salaries across the state.

Sylvia Lazos, Nevada Immigrant Coalition, noted that, under law, districts must provide quality instruction to both EL and Special Education students. While federal funding for these programs has always been insufficient, the state has a civil rights obligation to provide adequate education to these students. When there is not adequate federal funding, school districts take from their base funding to fulfill these obligations. Ms. Lazos raised concern that some schools may believe that if they do not have the funding, they do not have to provide those services to those students.

12: ADJOURNMENT

Meeting adjourned at 4:57 P.M.

Good afternoon, Thank you members of the commission for your service and time. For the record, my name is Christy Zamora and I am a school counselor at Global Community High School, the only small comprehensive U.S. newcomer high school in southern Nevada. We are a special school because we have the ability to not only teach high school students the English language - but we have the ability to graduate them. The sole reason we have this ability is due to ZOOM funding. Let me give you specific examples of how ZOOM affects students who enter the school.

My first example is Jun, a 17-and-a-half-year-old from Korea who speaks limited English and has credits from school in Korea. Jun entered school in September and turned 18 in November. I specifically mention his birthday because it is a determining factor for many schools when considering whether a student has graduation viability. Jun needed 4 credits of English, 1 US History, 1 US government, 1 PE and 1 math in order to graduate on time. Additionally he had limited experience with the U.S. culture and customs. Due to our expanded block schedule, afforded by the ZOOM funding, Global was able to offer Jun all 8 of his needed credits and a class specifically tailored to seniors preparing for college in Nevada. As of now, Jun will not only graduate with a standard diploma, he has also applied to CSN, and has completed scholarship applications through the PEF. Jun is just one of many who are successful because of the model afforded by the ZOOM funding.

My final example is not so much an example of one, but the story of hundreds. Every student who arrives at Global comes from another country and many of them have severely limited English. We do not consider a non-English speaking 17-year-old a burden because we know we have ample time to successfully teach not only language but content. We are a specialty school specifically due to the ZOOM funding and without it - hundreds of children each year would be negatively impacted. Our model allows us to accept students, teach them content, graduate them, and prepare them for post-secondary education. The model is the extended day and extended year and it is how we are able to teach high school students successfully, and I strongly advocate on behalf of allowing this successful model to continue.

My task today is not only to advocate for the students impacted by ZOOM funding, but to recognize the faculty and staff. I have been with the Clark County School District for 20 years and there has only been one time I've broken out into a cold sweat while in front of students, and that was my first day of teaching at Global. I began presenting a lesson I'd done 10s of times and recognized that only one of the students understood what I was saying. As I scanned the room and met the eyes of each person I was scheduled to spend the next 80 minutes with - I realized I was out of my element. These students deserve a counselor prepared to teach and I didn't have the skills, knowledge, or training. Thankfully, ZOOM funding has allowed me to learn strategies and skills so that I may appropriately facilitate classroom lessons and that is why I am here - to showcase the benefits of continued funding. ZOOM dollars support smaller class sizes, additional training, and allows for collaborative in-services. I no longer sweat when I present lessons because I have been trained - as has the rest of faculty. We all have the skills, abilities, and knowledge to assist students with the goal of graduation. On behalf of the community of teachers, students, and families of Global Community High, thank you.

From: [Sylvia Lazos](#)
To: [Jessica Todtman](#)
Subject: Public comments Jan 9, 2019 I request be put in the record
Date: Thursday, January 9, 2020 7:12:08 PM

Dear Commissioners,

School districts have LEGAL OBLIGATIONS under FEDERAL LAW and US Supreme Court case law to provide quality instruction to ELL and Special ED students. These are protected classes, and although federal funding for special ed and ELLs have always been insufficient, the State's civil rights obligations to these children persist. In turn, if the Nevada Legislature fails to provide sufficient funds, as is their constitutional obligation, the districts' legal obligations persist, and districts must use BASE funding to support quality instruction for these protected classes.

Happy to hear from Commissioner Mather, what should be happening in every district, that his district makes allocations from BASE funding to service ELL students, just as districts use 10-15% of Base funding to service special Education students. It is highly concerning, and indicative of how Nevada districts are failing their civil rights obligations, that allocations from general base funding to ELL students in CCSD has delinked from around \$100 per ELL student five years to about \$65 per ELL student in 2018,

AS to the politics of revenues -- In 2015 the Legislature came up with ADDITIONAL revenues to fund Sandoval reform agenda, and specifically Zoom and Victory, which were deemed both successful and necessary. These funds are not dedicated BY LAW to these programs, but this was part of the justification that Gov Sandoval provided to the Legislature to gain 2/3 approval for additional sources of revenue. It is not politically accurate to say that any monies that go to protected categories of studies, eg ELL, MUST always mean less monies to the BASE. Sometimes the Legislature raises monies just for special targeted programs such as Zoom and Victory.

So comments made to the effect that Zoom and Victory are "at the expense" of the BASE budget are incorrect. This is setting up a false dichotomy, it "costs" school districts BASE to provide services to ELL students.

The law requires that school districts provide sufficient funding to provide ALL students opportunities to a quality education. If the State and the federal government fail to provide sufficient equity allocations, that funding must come from base funding. That's the law.

Sylvia Lazos